

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

W.R. GRACE & CO., *et al.*,

Reorganized Debtor.

Chapter 11

Case No. 01-01139 (AMC)  
(Jointly Administered)

W.R. GRACE & CO., *et al.*,

Plaintiff,

v.

Adv. Pro. No. 23-50587 (AMC)

ANDREW R. VARA, in his official  
capacity as the United States Trustee for  
Region 3; TARA TWOMEY, in her official  
capacity as Director of the United States  
Trustee Program; and the UNITED  
STATES TRUSTEE PROGRAM,

Defendants.

**ORDER APPROVING STIPULATION FOR STAY**

This Court having considered the *Stipulation for Stay* (the “Stipulation”) between the Plaintiff and Defendants, attached hereto as **Exhibit 1**; the Court having determined that good and adequate cause exists for approval of the Stipulation; and the Court having determined that no further notice of the Stipulation must be given; it is hereby ORDERED:

1. The Stipulation is APPROVED.
2. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this order.

**Dated:** October 16, 2023



**The Honorable Ashely M. Chan  
United States Bankruptcy Judge**

**Exhibit 1**

**Stipulation**

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ANDREW R. VARA, in his official  
capacity as the United States Trustee for  
Region 3; TARA TWOMEY, in her official  
capacity as Director of the United States  
Trustee Program; and the UNITED  
STATES TRUSTEE PROGRAM,

Defendants.

**STIPULATION FOR STAY**

WHEREAS, on September 29, 2023, the Supreme Court of the United States granted the petition for a writ of certiorari in *Office of the United States Trustee v. John Q. Hammons Fall 2006, LLC*, Case No. 22-1238 (U.S.) (“Hammons”);

IT IS HEREBY STIPULATED AND AGREED, by and between (a) Plaintiff W.R. Grace & Co., et al. (the “Plaintiff”); and (b) Defendants Andrew R. Vara, in his official capacity as the United States Trustee for Region 3; Tara Twomey, in her official capacity as Director of the Executive Office for United States Trustees; and the United States Trustee Program (each a “Defendant” and together the “Defendants”), subject to approval of the Court, that the above-captioned adversary proceeding (including Defendants’ obligation to answer/respond to the

complaint, *Plaintiff's Motion for Summary Judgment* [D.I. 6], and any briefing deadlines related to the motion for summary judgment) is stayed until the earlier of: (i) the Supreme Court of the United States renders a decision in *Hammons*; or (ii) June 30, 2024.

Upon the termination of the stay, the Parties shall request a hearing no later than fourteen days after the date of termination. Within seven days prior to the date of such hearing, the Parties shall jointly file a proposed scheduling order to resolve this Adversary Proceeding. If the Parties are unable to reach agreement, then they shall each file separate proposed scheduling orders. Any proposed scheduling order shall set, among other deadlines, new dates to answer or respond to the complaint and to respond to the motion for summary judgment.

The stay may be terminated prior to such time, and the related deadlines reset (including Defendants' deadline(s) to answer/respond to the complaint and the deadlines associated with the motion for summary judgment), or the stay may be extended upon entry of an order by this Court: (i) pursuant to written agreement of the parties, filed with this Court; or (ii) upon motion of a party, on notice.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

Date: October 13, 2023

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– and –

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